



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, March 15, 2006**

9:00 a.m.  
City Council Chambers  
City Hall

200 East Santa Clara Street  
San Jose, California 95113-1905

### **Hearing Officers**

**Jean Hamilton, AICP, Principal Planner**

**Susan Walton, Principal Planner**

**Joseph Horwedel, Acting Director  
Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **March 15, 2006**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Gina Robles ([gina.robles@sanjoseca.gov](mailto:gina.robles@sanjoseca.gov)).

## **AGENDA**

### **ORDER OF BUSINESS**

#### **1. DEFERRALS**

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

**The matter of deferrals is now closed.**

#### **2. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. PDA04-069-01. Planned Development Permit Amendment** request to amend the condition of the previously approved permit to extend construction hours to weekends on a 0.421 gross acre site in the A(PD) Planned Development Zoning District, located on the south side of Murphy Avenue approximately 100 feet west of Deluca Drive (9719 TRACT) (Silicon Valley Habitat Humanity Inc Robert Freiri, Owner). Council District 4. SNI: None. CEQA: Exempt. **Deferred from 3/15/06.**
- b. TR05-156. Tree Removal Permit** to remove one 9-foot circumference pine tree located on a 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1829 McDaniel Avenue (Hutson Mary A Trustee, Owner). Council District 6. CEQA: Exempt.
- c. TR05-131. Tree Removal Permit** request to allow the removal of one (1) Silver Dollar Eucalyptus tree, approximately 69 inches in circumference in the R-1-8 (PD) Planned Development Zoning District, located at 52 Bernal Way (52 BERNAL WY) (Topbjerg Klaus And Lauriana P, Owner). Council District 2. CEQA: Exempt.
- d. SP06-010. Special Use Permit** to install a new 60-foot slimline monopole, and associated equipment shelter and power generator on a 4.17 gross acre church site in the R-1-8 Single-Family Residence Zoning District, located on the north side of McKee Road approximately 380 feet easterly of Toyon Avenue (5301 MCKEE RD) (Foothill Presbyterian Church, Owner). Council District 5. SNI:

None. CEQA: Exempt.

- e. **T06-011. Tentative Condominium Map** to reconfigure one lot for residential condominium purposes on a 0.26 gross acre site in the R-M Multiple Residence Zoning District, located on the east side of Page Street, approximately 460 feet northerly of Chiechi Avenue (498 PAGE ST) (Mazen Arabi, Tisani Mohamad, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.
- f. **PDA96-016-02. Planned Development Permit Amendment** to allow 4 retaining walls, 2 feet to 5 feet 6 inches in height, in the rear yard of an existing single-family residential property on 0.75 gross acre site in the A(PD) Planned Development Zoning District, located at/on the south side of Chisin Street, approximately 500 feet westerly of Woodbury Lane (2142 Chisin Street) (Mario And Herminia Chavez, Owner). Council District 8. SNI: None. CEQA: Exempt.
- g. **PDA84-062-01. Planned Development Permit Amendment** to construct one single-family detached residence on a 0.19 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of Pleasant Crest Drive, approximately 180 feet northerly of West View Drive (3616 Pleasant Crest Drive) (Emilio And Delfina Garcia, Owner). Council District 8. SNI: None. CEQA: Exempt.
- h. **PDA99-016-02. Planned Development Amendment** to construct one 6 feet high retaining wall on a 0.41 gross acre single-family detached residential lot in the A(PD) Planned Development Zoning District, located on the east terminus of Gayley Place (2684 Gayley Place) (Thomas And Susan Bondur, Developer). Council District 8. SNI: None. CEQA: Exempt.
- i. **SP06-009. Special Use Permit** to replace an existing detached garage with an 882 square foot 3-car detached garage, in excess of the 650 square feet allowed by right, to a single-family detached residence on a 0.24 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 880 Opal Drive (east side of Opal Drive, approximately 200 feet southerly of Neal Avenue) (Coleman Kenneth J And Elizabeth Trustee, Owner). Council District 1. SNI: Winchester. CEQA: Exempt.
- j. **T05-120. Tentative Map** to allow an airspace subdivision for two condominium units of an existing two-family residence on a 0.14 gross acre site in the R-M Multiple Residence Zoning District, located at/on 1515 Eden Avenue (the west side of Eden Avenue, approximately 100 feet northerly of Impala Drive) (Von Borck Derek H And Jessica L, Owner). Council District 1. SNI: Winchester. CEQA: Exempt.

**The consent calendar is now closed.**

### **3. PUBLIC HEARING**

- a. **SF05-044. Single Family House Permit** proposing demolition of existing 1,092 square foot house and construction of a new 3,764 square foot two-story residence with an FAR of 0.59. in the R-1-8 Single-Family Residence Zoning

District, located on the east side of Tulip, approximately 400 feet south of Newhall (2200 TULIP RD) (Nunes Orlando J And Ana M, Owner). Council District 6. SNI: None. CEQA: Exempt. **Deferred from 3/15/06.**

- b. **PD05-077. Planned Development Permit** to construct 590 single-family attached residences, 70 single-family detached residences, and 18,000 square feet of retail commercial uses on a 29.5 gross acre site in the A(PD) Planned Development Zoning District, located at the southwest corner of Monterey Road and Goble Lane. (2745 Monterey Road) (ROEM Development, Owner). Council District 7. SNI: None. CEQA: Goble Lane EIR Resolution No. 72877, File No. PDC02-066.
- c. **T05-107. Tentative Map** to subdivide one lot for residential condominium purposes on a 0.23 gross acre site. in the R-2 Two-Family Residence Zoning District and R-1-8 Single-Family Residence Zoning District, located on the southwest corner of Husted Avenue and Lincoln Avenue (1104 HUSTED AV) (Miller Ronald D, Owner). Council District 9. SNI: None. CEQA Exempt.
- d. *The project being considered is:*
  - 1. **HA02-067-01. Site Development Permit Amendment** to allow the addition of a third floor to a previously approved two-story eight-unit multi-family residential building on a 0.36 gross acre site in the R-M Multiple Residence Zoning District, located on the east side of Meridian Way, approximately 200 feet southeast of Paula Avenue (750 Meridian Way) (K & Z Homes, Llc, Owner). Council District 6. SNI: None. CEQA: Exempt.
  - 2. **T05-102. Tentative Map Permit** to reconfigure one parcel into one lot for eight condominium units on a .36 gross acre site in the RM – Multiple Residence Zoning District, located on the east side of Meridian Way, approximately 200 feet southeast of Paula Avenue (750 Meridian Way) (K & Z Homes, Llc, Owner). Council District 6. SNI: None. CEQA: Exempt.

**This concludes the Planning Director's Hearing for March 15, 2006. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:  
<http://www.sanjoseca.gov/planning/hearings/default.asp>  
PUBLIC INFORMATION COUNTER  
(408) 535-7800 CITY OF SAN JOSE